

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS
DISTRICT LODGE NO 10,

Plaintiff,

v.

Case No. 11-C-760

CROWN CORK AND SEAL CO.,

Defendant.

ORDER FOR JUDGMENT

Plaintiff International Association of Machinists and Aerospace Workers District Lodge No. 10 (the Union) filed this action to compel arbitration of two grievances filed against Crown Cork and Seal Company (Crown Cork). The Court previously denied the motion for Judgment on the pleadings as to the Leavens Grievance, but granted a motion to compel as to the Koechell Grievance. The Union has now indicated its intent to voluntarily dismiss the Leavens Grievance and request entry of Judgment on the Koechell Grievance.

Based upon the foregoing, the clerk is directed to enter judgment dismissing the action as to the Leavens Grievance and ordering Crown Cork to submit to arbitration the Koechell Grievance. Costs will be denied, since each of the parties prevailed on one of the claims. Although the Court indicated in its order granting the Union's motion to compel arbitration of the Koechell grievance that attorneys' fees would be awarded, the Court will address whether and what amount

should be awarded either party upon filing an appropriate motion pursuant to Rule 54(d) of the Federal Rules of Civil Procedure.

SO ORDERED this 4th day of April, 2012.

s/ William C. Griesbach
William C. Griesbach
United States District Judge